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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b) )  
Table of Allotments ) MB Docket No. \_\_\_\_\_  
FM Broadcast Stations ) RM - \_\_\_\_\_  
(Connersville, Madison, and Richmond, )  
Indiana, Erlanger and Lebanon, Kentucky, )  
and Norwood, Ohio) )

To: Marlene H. Dortch, Office of the Secretary  
Attn: Assistant Chief, Media Bureau

**PETITION FOR RULE MAKING**

RODGERS BROADCASTING CORPORATION

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## **SUMMARY**

Rodgers Broadcasting Corporation, licensee of Station WIFE(FM), Connersville, Indiana requests the Commission to amend the FM Table of Allotments to delete Channel 262B at Connersville, Indiana and allot Channel 262A to Norwood, Ohio as that community's first local service. In order to accomplish these modifications, the following changes to the Table of Allotments will be necessary: (1) substitute Channel 265A for Channel 266A at Madison, Indiana; (2) substitute Channel 267B1 for Channel 267B at Richmond, Indiana; (3) substitute Channel 266A for Channel 265A at Erlanger, Kentucky; and (4) downgrade Channel 265C3 to 265A at Lebanon, Kentucky, and modify its reference coordinates. In addition to providing a first local service to Norwood, Ohio, grant of this petition will provide a net increase in radio service to more than one million people and will eliminate eight and reduce one preexisting short spacings. Further, the residents of Connersville, Indiana area will continue to be served by local stations and Connersville itself will retain local service.

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and Norwood, Ohio)	)	

To: Marlene H. Dortch, Office of the Secretary  
Attn: Assistant Chief, Media Bureau

**PETITION FOR RULE MAKING**

Rodgers Broadcasting Corporation ("RBC"), licensee of Station WIFE(FM), Connersville, Indiana, by its counsel, hereby requests that the Commission amend the FM Table of Allotments to delete Channel 262B at Connersville and allot Channel 262A to Norwood, Ohio as that community's first local service. In order to accomplish these modifications, certain other changes to the Table of Allotments will be necessary, as described further herein. In support hereof, Petitioners state as follows:

**I. INTRODUCTION**

1. The following table summarizes the changes requested in this Petition:

Community	Channel	
	Existing	Proposed
Connersville, Indiana	262B	-----
Madison, Indiana	266A	265A
Richmond, Indiana	267B	267B1
Erlanger, Kentucky	265A	266A
Lebanon, Kentucky	265C3	265A
Norwood, Ohio	----	262A

2. As shown above, changes will be necessary to Stations WIZF, Erlanger, Kentucky, WFMG, Richmond, Indiana, and WLSK, Lebanon, Kentucky. (The allotment at Madison, Indiana is currently vacant.) As to these three stations, RBC is the licensee of WFMG, and RBC has entered into an agreement with the licensee of WLSK for the changes to its facilities. With respect to WIZF, RBC requests that the Commission issue an Order to Show Cause for the change. Accordingly, because this proposal involves only one involuntary change, this petition complies with the Commission's policy in *Columbus, Nebraska*, 59 Rad. Reg. 2d 1185 (1986). RBC commits to reimburse all affected licensees for the changes to their stations in compliance with *Circleville, Ohio*, 8 F.C.C.2d 159 (1967) ("*Circleville*").

3. In addition to providing a first local service at Norwood, Ohio, grant of the petition will provide a net increase in radio service to more than one million people. It will also eliminate eight and reduce one preexisting short spacings.

4. If the Commission approves the changes set forth herein, RBC will file an application to modify the license of WIFE to specify operation on Channel 262A at Norwood, Ohio and construct the authorized facilities.

## **II. COMPLIANCE WITH TECHNICAL RULES**

### **A. NORWOOD, OHIO**

#### **1. Technical Analysis**

5. As demonstrated in the Engineering Statement (Exhibit E), Channel 262A can be allotted to Norwood, Ohio at coordinates 39° 07' 19" North Latitude, 84° 32' 52" West Longitude consistent with Section 73.207 of the Commission's Rules, provided that a channel change is made at Erlanger, Kentucky. See Exhibit E, Figure 1. A 70 dBu signal can be provided to Norwood from the proposed reference point. See Exhibit E, Figure 2.

6. The relocation of WIFE to Norwood will result in a net gain in population of 1,172,668 persons able to receive a 60 dBu signal from the station. *See* Exhibit E, Figure 3. The loss area will continue to be well-served, with the majority of the area enjoying more than five aural reception services. *See* Exhibit E, Figure 4. Although there will be a small area receiving four services, this is consistent with other relocations granted by the Commission. *See, e.g., Scappoose and Tillamook, Oregon*, 15 FCC Rcd 10899 (2000) (reallotment left 4,312 persons with four aural services, 2,461 persons with three aural services, and 19 persons with two aural services); *Detroit Lakes and Barnesville, Minnesota*, 16 FCC Rcd 22581 (2001) (reallotment left 1,458 persons with four aural services, 449 persons with three aural services, and 54 persons with two aural services); *Earle, Arkansas, et al.*, 10 FCC Rcd 8270 (1995) (reallotment left 7,026 persons with 4 aural services).

7. The relocation of WIFE to Norwood will also entirely eliminate three preexisting short spacings: 50.93 kilometers to WWKI, Kokomo, Indiana; 5.28 kilometers to WTFX, Louisville, Kentucky; and 2.06 kilometers to WCLT, Newark, Ohio. *See* Exhibit E, Technical Narrative.

## **2. Change in Community of License**

8. Petitioners desire to change the community of license of WIFE from Connersville to Norwood to provide a first local service under the prerequisites set forth in *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 3870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990) ("*Community of License*"). First, the proposed use of Channel 262A at Norwood is mutually exclusive with the current use of Channel 262B at Connersville. *See* Exhibit E, Figure 1. Second, the Norwood proposal is preferred under the Commission's priorities, since Norwood would receive a first local service, while Connersville would retain service from WCNB(AM),

1580 kHz. The comparison is the provision of a first local service at Norwood (Priority 3) vs. a second local service at Connersville (Priority 4). *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

9. Norwood is located within the Cincinnati Urbanized Area. This implicates the Commission's policy concerning the potential migration of stations from underserved rural areas to well-served urban areas. In making the determination whether to award an urbanized community a first local service preference, the Commission will consider the extent to which the station will provide service to the entire Urbanized Area, the relative populations and proximity of the suburban and central cities, and, most importantly, the independence of the suburban community. *See Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) ("*Tuck*"). In judging the independence of the community, the Commission indicated it would be guided by the criteria set forth in *Tuck* to determine whether the community is independent from the urban hub. In this case, from the proposed transmitter site, WIFE will place a 70 dBu contour over only 42.3 percent of the Cincinnati Urbanized Area. This coverage of the Urbanized Area falls below the 50 percent threshold at which the Commission would even require a *Tuck* showing, were it not for the fact that Norwood itself is within the Urbanized Area. Norwood is 4.3 kilometers away from the city center of Cincinnati. The 2000 Census population of Norwood (21,675) is 6.5 percent of the population of Cincinnati (331,285). These figures are similar to those of other suburban communities granted a first local preference. *See, e.g., Anniston, Alabama*, 15 FCC Rcd 9971 (2000) and cases cited therein. In any event, these factors are less important than evidence of independence. *See Tuck, supra*.

10. Under *Tuck*, the Commission will consider eight factors in assessing the independence of a specified community: (1) the extent to which the community residents work in

the larger metropolitan area, rather than the specified community; (2) whether the specified community has its own newspaper or other media that covers the community's local needs and interests; (3) whether community leaders and residents perceive the specified community as being an integral part of, or separate from, the larger metropolitan area; (4) whether the specified community has its own local government and elected officials; (5) whether the specified community has its own telephone book provided by the local telephone company or a zip code; (6) whether the specified community has its own commercial establishments, health facilities, and transportation systems; (7) the extent to which the specified community and the central city are part of the same advertising market; and (8) the extent to which the specified community relies on the larger metropolitan area for various municipal services such as police, fire protection, schools, and libraries. *Tuck*, 3 FCC Rcd at 5378. All eight factors need not favor the applicant; however, if a majority of the factors demonstrate that the specified community is distinct from the urbanized area, the Commission will treat it as an independent community. *Id.*; *Parker and Port St. Joe, Florida*, 11 FCC Rcd 1095, 9-11 (1996) (finding that the proposed community was independent, even though it lacked its own telephone directory and local newspaper, and was included in the urbanized area's Arbitron market); *accord, Jupiter and Hobe Sound, Florida*, 12 FCC Rcd 3570, 3 (1997) (citing *Parker and Port St. Joe, Florida*).

11. In this case, the evidence presented, evaluated in light of Commission precedent in other change of community allocation proceedings, abundantly supports a finding that Norwood is independent from Cincinnati. Of the eight factors, six are strongly in favor of Norwood's independence.

(1) *Extent to which the residents of Norwood work in Norwood.*

According to the 2000 U.S. Census Database, 2,174 of the 10,384 Norwood work



force, or 20.9 percent, work in their place of residence. *See* Exhibit C. This percentage is far greater than that of other communities adjudged to be independent. *See Anniston, Alabama, supra* (16 percent of the residents of College Park worked in College Park); *Albemarle and Indian Trail, North Carolina*, 16 FCC Rcd 13876, 13880 (2001) (11.3 percent of working-age residents worked in the community); *Coolidge and Gilbert, Arizona*, 11 FCC Rcd 3610 (1996) (13 percent of Gilbert's working population actually worked in Gilbert).

(2) *Newspapers and other media.* Norwood operates an extensive community television network, programming four channels exclusively for Norwood residents and one additional channel that is viewed in other areas of Hamilton County. Norwood Community Television provides public, education and government access television programming, enabling Norwood citizens to watch live and taped broadcasts of the Norwood City Council and other Norwood government meetings as well as educational and public access programming. In addition, Norwood Community Television provides a community bulletin board channel, enabling Norwood citizens and organizations to announce upcoming events. *See* Exhibit C.

Norwood maintains a web site, <[www.norwood-ohio.com](http://www.norwood-ohio.com)>, that provides information concerning Norwood. City residents, by accessing this web page, can find out a wide variety of facts concerning Norwood, including information about upcoming events, businesses, city officials, municipal services, public and

committee meetings, developments, job opportunities, public schools and community activities. *See Exhibit C.*

(3) *Perception of community leaders and residents.* Community leaders and residents perceive Norwood as being separate from Cincinnati. The City of Norwood has its own unique identity and history that is separate from that of Cincinnati. Norwood was founded in 1888 and incorporated in 1903. It is the second largest city in Hamilton County. Since its inception, Norwood has evolved into a center of commerce and industry. Its industrial and residential center developed during the early 1900s. The city grew when General Motors opened a plant in the center of Norwood and became the city's economic base. *See Exhibit C.*

From the time of its founding, Norwood has followed a policy of independence from Cincinnati and self-sufficiency as described on the Norwood web site:

“As Cincinnati's border expanded through growth and annexation, Norwood opted to retain its independence and self-governance. . . . Norwood's distinction as an independent suburban community within a major metropolitan city continues to offer a unique blend of advantages for Norwood's residents and businesses.” *See Exhibit C.*

In 1987, General Motors closed its plant in Norwood, which, according to the city website, resulted in the loss of over 4,000 jobs and 35 percent of the city's tax base. Since then, the city government has implemented an economic, reinvestment and redevelopment plan that has resulted in “more than 150 new

businesses, 4,000 new jobs, \$200 million in new business investment and one million square feet of new office, commercial and retail space in Norwood.” Since 1990, Norwood’s economic base has evolved into a healthy mix of manufacturing, financial services, retail, and professional businesses. *See Exhibit C.*

(4) *Government and elected officials.* Norwood has its own local government and elected officials. The government functions independently of any other governmental units and operates under a statutory form of government. The Mayor is elected to a four-year term. The Vice Mayor and nine council members are elected to two-year terms. The City Auditor, Law Director and Treasurer are each independently elected to four-year terms. The city council meets on the 2nd and 4th Tuesday of the month. The city council sets policy, goals and direction of the government. *See Exhibit C.*

Norwood also has a number of appointed officials, who include: deputy auditor, director of public safety, director of public services, tax commissioner, building commissioner, police chief, fire chief, superintendent of public works, health commissioner, community center director, clerk of courts, and planning director. Among the city’s administrative offices, divisions and departments are: clerk of council, auditor, Mayor’s court, planning, public works, treasurer, safety-service, health, water, tax, building, fire, police, community development, and projects coordinator. The city has several committees and boards such as the Norwood Recreation Commission, Norwood Planning Commission, the Norwood Board of Health and the Norwood Tree Board. The city operates the

community/senior center, nine city parks and a nature preserve. Among the municipal services provided by the city are: general and administrative services, planning and zoning, highways, streets, waste collection, public improvement, health and social services, parks, recreation, police and fire protection, permits, inspection, water, and sewer. *See Exhibit C.*

(5) *Zip code and telephone directory.* The zip code designated for the City of Norwood is 45212. The U.S. Postal Service operates the Norwood Branch Post Office at 4515 Allison Street in Norwood. *See Exhibit C.* The Cincinnati Bell telephone directory contains a separate section for Norwood government listings.

(6) *Commercial establishments, health facilities, and transportation systems.* The City of Norwood has its own commercial establishments, health facilities, and transportation system which are independent from those of Cincinnati. Norwood is home to a variety of businesses and commercial establishments. Norwood's largest employers include The United States Playing Card Company, Siemens Energy & Automation, United Dairy Farmers, Convergys, and EM Industries and Zumbiel Packaging. Norwood's economic base includes Central Parke (office/business complex), Rookwood Pavilion (upscale retail center) and Rookwood Center (upscale retail and office tower). *See Exhibit C.* There are over 600 office, retail, service and manufacturing businesses in Norwood. Several local businesses identify with the community by using "Norwood" in their name, such as Norwood Clothing Care Center, Norwood Hair Stylist, Norwood Brake Service, Norwood Shell, Angilo's

Norwood Pizza, Norwood Duds & Suds, Norwood Café, Norwood Drive Thru, Norwood Hardware & Supply Co., Norwood Tool Co., and Norwood Florist. Norwood retail and commercial businesses also include Wild Oats Community Market, Thriftway, Stone Lanes, Sturgis Plumbing Co., Jordan Realtors, Muzak Corp., Kruse Hardware, Kenkin Box Company, M.A.B. Paints, and Alford Motors, Inc. Banking services are provided by Provident Bank, Lenox Savings Bank, First Savings Bank, U.S. Bank and several other financial institutions. Dining establishments include Gold Star Chile, Buskin Bakery, Buffalo Wild Wings, and LaRosa Norwood. Lodging in Norwood is available at The Empty Nest Bed and Breakfast and Arlene's Stone Porch Bed & Breakfast. The Norwood Chamber of Commerce promotes local businesses and sponsors several city events. *See Exhibit C.*

A number of health care providers are located in the City of Norwood. The Norwood Health Center provides public health services for the Norwood community. The Norwood Board of Health and the Norwood Health Commissioner provide essential services such as inspections, immunizations, home outreach visits and health screening to the citizens of Norwood. *See Exhibit C.* Medical services are also provided by Norwood Health Care Center, Bethesda Care, Group Health Associations, American Nursing Care, and several sole practitioners. Dental services are provided by Norwood Dental Center, Norwood Family Dental Care and several sole practitioners. *See Exhibit C.*

Norwood also owns and operates its own bus transportation system within the city. The City of Norwood Bus System is operated by the city and provides passenger transit for local citizens.

Norwood is home to over thirty houses of worship, such as Norwood Baptist Church, Holy Trinity Church, Norwood Presbyterian Church, Norwood Wesleyan Church, Norwood Christian Church, Norwood Church of Christ, Norwood Church of the Nazarene and Norwood First United Methodist. *See Exhibit C.* Further, several churches belong to the Norwood Ministerial Association. Norwood is also home to several civic organizations such as the Norwood Chamber of Commerce, Norwood Business and Professional Women's Club, Norwood Kiwanis Club, Norwood Moose Lodge, Norwood Knights of Columbus, Richard E. Lindner Family Branch YMCA, Norwood Service League, the Salvation Army, and the Norwood American Legion. *See Exhibit C.*

Community activities and events that occur in Norwood include: Pink Lime Project, Arbor Day, Norwood Day Parade, Norwood Day at Coney, Halloween in the Park, and Christmas in the Park. *See Exhibit C.*

(7) *Advertising market.* Norwood businesses may advertise in the *Eastern Hills Journal*, which serves a number of nearby communities. The *Eastern Hills Journal* is published by the Community Press, a network of 25 individually edited newspapers circulated in the communities surrounding Cincinnati. Therefore, Norwood advertisers can reach their audience without relying on Cincinnati media. In addition, announcements may be directed to

Norwood residents via the Norwood Community Television channel on its bulletin board and via the Norwood web site.

(8) *Police and fire protection; schools and libraries.* The City of Norwood maintains its own fire and police departments. The Norwood Police Division is composed of a chief of police, 47 trained officers and sixteen 911 dispatchers. According to the city website, there is a ratio of 15 police personnel per square mile. The department provides enforcement and prevention efforts and maintains a website at <<http://norwoodpolice.org>>. The Norwood Fire Department is composed of a Chief of Fire and 46 full-time professional firefighters providing fire, paramedic, rescue and emergency medical services to the city. *See Exhibit C.*

The Norwood City School System provides public school education to approximately 3,900 students. The school system maintains its own website at <[www.norwoodschoools.org](http://www.norwoodschoools.org)> that enables the citizens of Norwood to access information about the school system. The system's administrative offices and schools are located in Norwood. The Norwood City School Board is composed of five members. The school system is composed of 4 elementary schools, one middle school and one high school. *See Exhibit C.*

Norwood has its own library, its own independent school board, and its own police and fire protection services. The Norwood Branch of the Public Library of Cincinnati and Hamilton County serves the local population. The library is open Monday through Saturday. The library contains over 20,000

#### **D. RICHMOND, INDIANA**

16. Figure 5 on Exhibit E reveals a short spacing between Channel 265A at Madison, Indiana and RBC's own station, WFMG, Richmond, Indiana. RBC proposes to substitute Channel 267B1 for Channel 267B at Richmond, Indiana. Channel 267B1 can be allotted to Richmond at the current licensed coordinates of WFMG, as shown in Figure 7, Exhibit E. Figure 8, Exhibit E demonstrates that the proposed facilities will provide service to the entire community of license.

17. As a Class B station, WFMG is currently short spaced to Station WKKG, Columbus, Indiana, pursuant to Section 73.213 of the Commission's Rules, having been continuously short spaced since the FM Table of Allotments was created in 1964. The channel spacing study, Figure 7, Exhibit E, shows that WFMG would decrease its short spacing to WKKG from 56.18 kilometers to 27.49 kilometers. The existing contour overlap is substantially reduced and no new area of contour overlap is introduced as a result of this downgrade. *See* Exhibit E, Figure 9(a). Accordingly, the allotment of Channel 267B1, which allows Channel 266A to be substituted at Erlanger, Kentucky, is in the public interest. *See e.g., Albemarle and Indian Trail, North Carolina*, 16 FCC Rcd 13876 (2001). The change to WFMG will eliminate three other preexisting short spacings: 3.65 kilometers to WAGX, Manchester, Ohio; 2.13 kilometers to WBAA, West Lafayette, Indiana; and 1.12 kilometers to WPGW, Portland, Indiana.

18. There will be a net loss in population of 38,386 people able to receive service from WFMG as a result of the change. *See* Exhibit E, Figure 9. This loss area is well served and outweighed by the substantial net gains in population as a result of the overall arrangement of allotments. RBC states that should Channel 267B1 be substituted at Richmond, Indiana it will apply for the channel and construct the facility.



volumes, computer and internet access, books-on-tape, a video collection, and programs for children. *See Exhibit C.*

12. Should the Commission approve the reallocation of Channel 262A from Connersville, Indiana to Norwood, Ohio, RBC will apply for the channel, and will construct the facility if authorized to do so.

#### **B. ERLANGER, KENTUCKY**

13. In order to allot Channel 262A to Norwood, Ohio, Channel 266A must be substituted for Channel 265A, Erlanger, Kentucky, for use by WIZF. Figure 5 on Exhibit E demonstrates that Channel 266A can be allotted to Erlanger at the current licensed coordinates of WIZF, provided that changes are made at Madison, Indiana and Richmond, Indiana as discussed below. RBC requests that the Commission issue an Order to Show Cause to Blue Chip Broadcasting Licenses II, Ltd., the licensee of WIZF, to demonstrate why WIZF's channel should not be changed. RBC reiterates that it will reimburse the licensee of WIZF for its reasonable expenses incurred in connection with the channel change in accordance with *Circleville*.

14. The WIZF channel change will eliminate a preexisting short spacing of 1 kilometer to WEEC, Springfield, Ohio.

#### **C. MADISON, INDIANA**

15. In order to allot Channel 266A to Erlanger, Kentucky, it will be necessary to change the channel of the vacant allotment at Madison, Indiana. Figure 6 on Exhibit E demonstrates that Channel 265A can be substituted for Channel 266A at Madison, Indiana at the *current allotment reference coordinates*, provided that a change is made at Lebanon, Kentucky as described below.

### **E. LEBANON, KENTUCKY**

19. In order to allot Channel 265A at Madison, Indiana, a change must be made at Lebanon, Kentucky. *See* Exhibit E, Figure 6. RBC proposes to downgrade Station WLSK, Lebanon, Kentucky, from Channel 265C3 to 265A and modify its reference coordinates. Figure 10, Exhibit E demonstrates that Channel 265A can be allotted to Lebanon, Kentucky at new reference coordinates, with no further spectrum changes necessary. Operating on Channel 265A, WLSK will provide service to the entire community of Lebanon. *See* Exhibit E, Figure 11. It will also completely eliminate a preexisting short spacing of 24.76 kilometers to WBDC, Huntingburg, Indiana. There will be a net loss in service to 43,030 people in an area of 2,285 square kilometers. *See* Exhibit E, Figure 12. The loss area is well served.

20. The licensee of WLSK, CBC of Marion County, Inc., has entered into an agreement with RBC to make the change to WLSK in exchange for reimbursement. It has furnished a statement of consent to the modification, which is attached hereto as Exhibit B. RBC reiterates its willingness to reimburse CBC for its reasonable costs of the channel change in compliance with Commission policy.

### **III. CONCLUSION**

The allotment of Channel 262A to Norwood, Ohio is in the public interest because Norwood will receive a first local service and an additional 1,091,252 people will receive new radio service. The residents of the Connersville area will continue to be served by numerous radio stations, and Connersville itself will retain local service. Eight preexisting short spacings will be eliminated and one substantially reduced by the modifications proposed herein. For the foregoing reasons, the Commission should issue a *Notice of Proposed Rule Making* as set forth herein.

Respectfully Submitted,

RODGERS BROADCASTING CORPORATION

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January 9, 2004

## EXHIBIT E



**ENGINEERING STATEMENT**  
**IN SUPPORT OF A**  
**PETITION FOR RULE MAKING**

**Rodgers Broadcasting Corporation**

**Prepared by:**

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## **Engineering Statement**

### **In Support of a Petition for Rule Making**

#### **Rodgers Broadcasting Corporation**

#### **General**

We have been asked by Rodgers Broadcasting Corporation (herein referred to as "RBC" as well as "The Petitioner") to prepare the engineering for a petition for rulemaking to delete channel 262B at Connersville, Indiana and allocate channel 262A at Norwood, Ohio as that community's first local service. In order to accomplish this, certain modifications to §73.202(b) of the Commission's rules are necessary.

The proposed modifications to the Table of Allotments are as follows:

<b><u>Community</u></b>	<b><u>Current</u></b>	<b><u>Proposed</u></b>
Connersville, Indiana <sup>1</sup>	262B	-----
Norwood, Ohio	-----	262A
Erlanger, Kentucky	265A	266A
Madison, Indiana	244A, 266A	244A, 265A
Richmond, Indiana	241B, 267B	241B, 267B1
Lebanon, Kentucky	265C3	265A

#### **Exhibits Explained**

Exhibit E, Figure 1 is an allocation study for the proposed allotment of channel 262A at Norwood, Ohio for use by WIFE. This study demonstrates that WIFE would be short spaced to only one other facility: WIZF, channel 265A, Erlanger, Kentucky. That short spacing is eliminated by the proposed channel change of WIZF from 265A to 266A at its current location. Exhibit E, Figure 2 is a map demonstrating that 100% of the proposed community of license for WIFE (Norwood, Ohio) is covered by a hypothetical class A 70

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<sup>1</sup> Connersville, Indiana will continue to be served by WCNB(AM) 1580 kHz.

dBu contour. Exhibit E, Figure 3 shows the area gained and lost (as well as the population figures) for the proposed deletion at Connersville, Indiana and the proposed allotment at Norwood, Ohio. Exhibit E, Figure 4 is a remaining services study that demonstrates that no underserved areas will be created as a result of this proposed modification. (Please note that on Exhibit E, Figure 4 the WLW(AM) 0.5 mV/m contour extends beyond the map border.)

In order to allocate channel 262A at Norwood, a modification of WIZF's facility on channel 265A is required. The instant petition proposes to change WIZF to its first adjacent channel, 266A, without a site change. This is demonstrated in Exhibit E, Figure 5. This exhibit shows that channel 266A at Erlanger is short spaced to WFMG, channel 267B, Richmond, Indiana; and the vacant allocation of channel 266A at Madison, Indiana. The Petitioner is the licensee of WFMG and has agreed to the substitution of channel 267B1 for channel 267B at Richmond. The vacant allotment at Madison, Indiana is to be moved from channel 266A to channel 265A with no site change needed. Exhibit E, Figure 6 is an allocation study of the aforementioned substitution of channel 265A for channel 266A at Madison, Indiana (with no site change necessary).

Other than WIZF at Erlanger on channel 265A, the only other facility that is short spaced to the proposed substitution is WLSK, channel 265C3, Lebanon, Kentucky. The instant petition seeks to downgrade WLSK from channel 265C3 to channel 265A and modify its reference coordinates.

Exhibit E, Figure 7 is an allocation study showing the proposed substitution of channel 267B1 at Richmond, Indiana in lieu of channel 267B for use by WFMG. The only facility short spaced to channel 267B1 at Richmond is WKKG, channel 268B, Columbus,

Indiana. However, as a result of the instant petition, this short spacing is significantly reduced, and no new overlap is introduced as a result [see Section 73.213(a)(1) of the Commission's rules]. Exhibit E, Figure 7(a) is a channel spacing study for WFMG's current licensed facility. These two exhibits demonstrate the significant amount of short spacing that is reduced as a result of the instant petition (from 56.18 kilometers to 27.49 kilometers)

Exhibit E, Figure 8 demonstrates coverage of the proposed community of license (Richmond, Indiana) if channel 267B1 is substituted. Exhibit E, Figure 9 is a gain/loss study demonstrating the net areas gained and lost as a result of the WFMG modification from a class B to a class B1. Exhibit E, Figure 9(a) is a map showing that no new interference will be created as a result of the proposed substitution of channel 267B1 for channel 267B at Richmond, Indiana.

Exhibit E, Figure 10 is an allocation study for the proposed modification of WLSK in Lebanon, Kentucky. In order to eliminate the short spacing to channel 265A in Madison, Indiana, channel 265C3 is to be deleted and channel 265A is to be allocated for use by WLSK. Exhibit E, Figure 11 is a class A 70 dBu contour map showing 100% coverage of Lebanon. Exhibit E, Figure 12 is a gain/loss study for the proposed change.



### **Conclusion**

The distance from the reference coordinates of Norwood, Ohio to the reference coordinates of Cincinnati, Ohio is 4.32 kilometers. The proposed 70 dBu contour covers 42.3% of the urbanized area in the Cincinnati metropolitan area.

The instant petition proposes the creation of a new first local service to a community of 21,675 persons (Norwood, Ohio). It creates a new first local service to a net total of 1,091,252 persons, while leaving no areas underserved. It also eliminates (or reduces) nine (9) short spacings as follows:

<b><u>Station Modified in Instant Petition</u></b>	<b><u>Station Current Short Spaced</u></b>	<b><u>City of License</u></b>	<b><u>Amount of Short Space Eliminated (km)</u></b>
WIFE	- WWKI	Kokomo, Indiana	50.93
	- WTFX	Louisville, Kentucky	5.28
	- WCLT	Newark, Ohio	2.06
WIZF	- WEEC	Springfield, Ohio	0.97
WFMG	- WKKG	Columbus, Indiana	28.69*
	- WAGX	Manchester, Ohio	3.65
	- WBAA	West Lafayette, Indiana	2.13
	- WPGW	Portland, Indiana	1.12
WLSK	- WBDC	Huntingburg, Indiana	24.76

\* Short spacing reduced from 56.18 kilometers to 27.49 kilometers

**Statement of the Consultants**

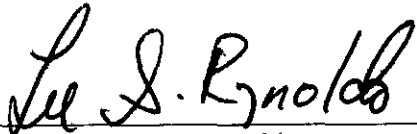
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The information in this application is compiled from the most recent Commission and outside data. RTA is not responsible for errors resulting from incorrect data or unpublished rule and procedure changes.

For RTA:

  
\_\_\_\_\_  
Lee S. Reynolds

December 30<sup>th</sup>, 2003

12585 Old Highway 280 East, Suite 102  
Chelsea, Alabama 35043  
(205) 618-2020

# Engineering Statement

## In Support of a

## Petition for Rule Making

### Channel 262A, Norwood, Ohio (WIFE) Allocation Study (Using an Existing Tower as Reference)

REFERENCE  
39 07 19 N CLASS = A  
84 32 52 W Current Spacings

DISPLAY DATES  
DATA 11-13-03  
SEARCH 12-03-03

----- Channel 262 - 100.3 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
------	---------	----------	------	-----	-----	--------

-----

**Community of Norwood** OH 9.07 62.1

Reference Coordinates:  
North Latitude: 39-09-36  
West Longitude: 84-27-18

**WIFE LIC 262B Connersville IN 77.02 318.3 178.0 -100.98**

Of no concern:  
Licensed facility of WIFE

**WIZF LIC 265A Erlanger KY 2.03 202.1 31.0 -28.97**

Of concern:  
Licensed facility of WIZF. The instant petition proposes to change WIZF to channel 266A at its current site. Channel 262A at Norwood, OH And WIZF become 4<sup>th</sup> adjacent to one another. Hence, no interference Exists.

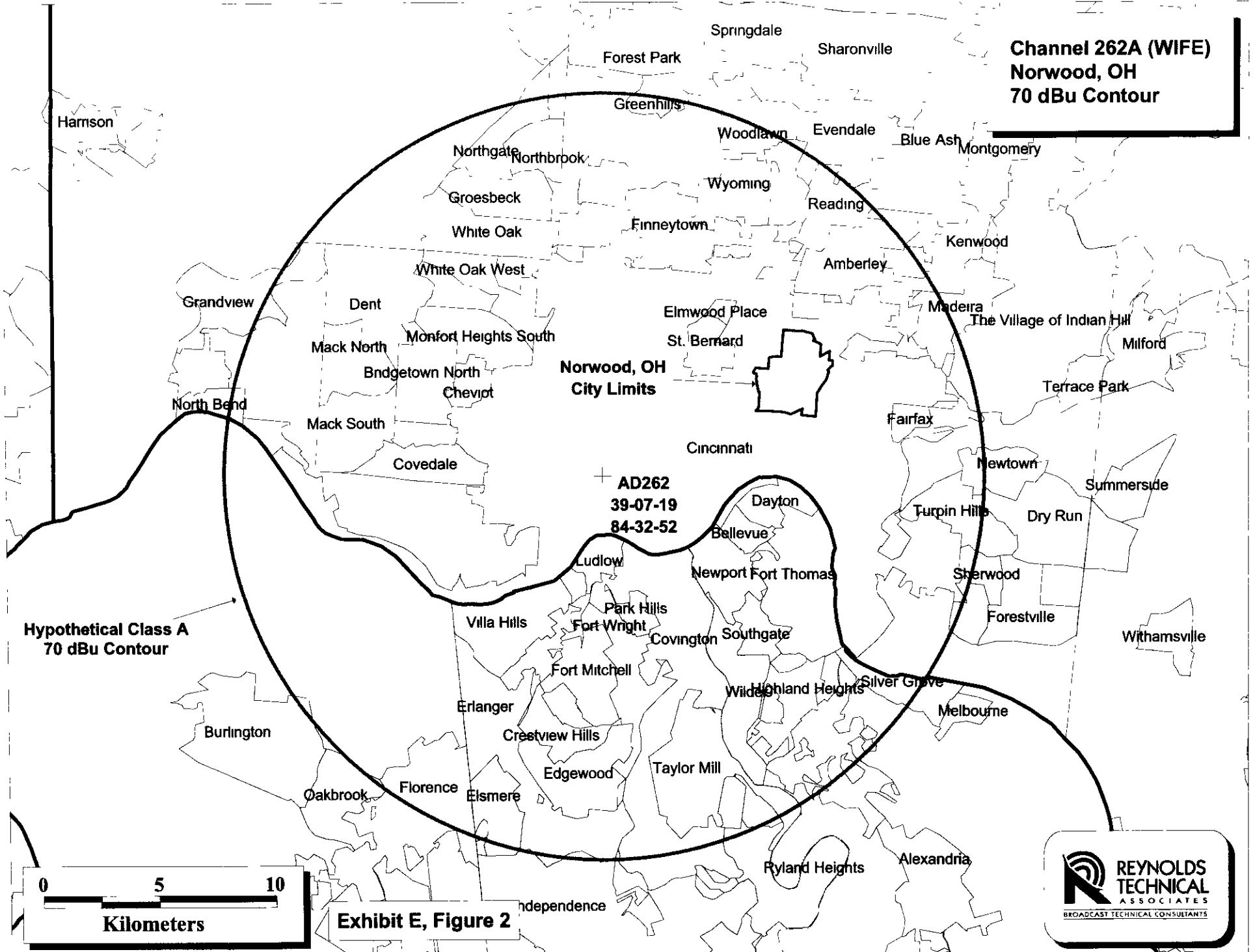
WNKU	LIC-D 209C3	Highland Heights	KY 11.61	142.4	12.0	-0.39
WLQT	LIC 260B	Kettering	OH 72.69	23.4	69.0	3.69
WKQQ	LIC-N 261C2	Winchester	KY 111.22	175.3	106.0	5.22
WHSS	LIC 208A	Hamilton	OH 34.98	348.7	10.0	24.98
WTFXFM	LIC-N 263C2	Louisville	KY 133.54	219.6	106.0	27.54
WCLTFM	LIC 262B	Newark	OH 210.32	60.4	178.0	32.32
WEEC	LIC 264B	Springfield	OH 110.03	31.8	69.0	41.03

**AD265 PRO 265A Madison IN 74.25 243.4 31.0 43.25**

Of note:  
Proposed channel change of vacant allotment in instant petition.

-----

**Channel 262A (WIFE)  
Norwood, OH  
70 dBu Contour**



**Exhibit E, Figure 2**

Gain Area = 2,516 sq km  
Loss Area = 4,324 sq km  
Pop. Gain = 1,338,773  
Pop. Loss = 166,105

**Channel 262A (WIFE)  
Proposed Gain/Loss Study**

**LOSS AREA**

**WIFE**  
**39-38-15**  
**85-08-45**

**WIFE**  
**Licensed**  
**Hypothetical 60 dBu**

**GAIN AREA**

**Hypothetical Class A**  
**60 dBu Contour**

**AD262**  
**39-07-19**  
**84-32-52**

0 15 30  
**Kilometers**

**Exhibit E, Figure 3**

Note: The WLW(AM) 0.5 mV/m contour covers 100% of the loss area.

WLW(AM)

Channel 26.2A (WIFE)  
Remaining Services Study

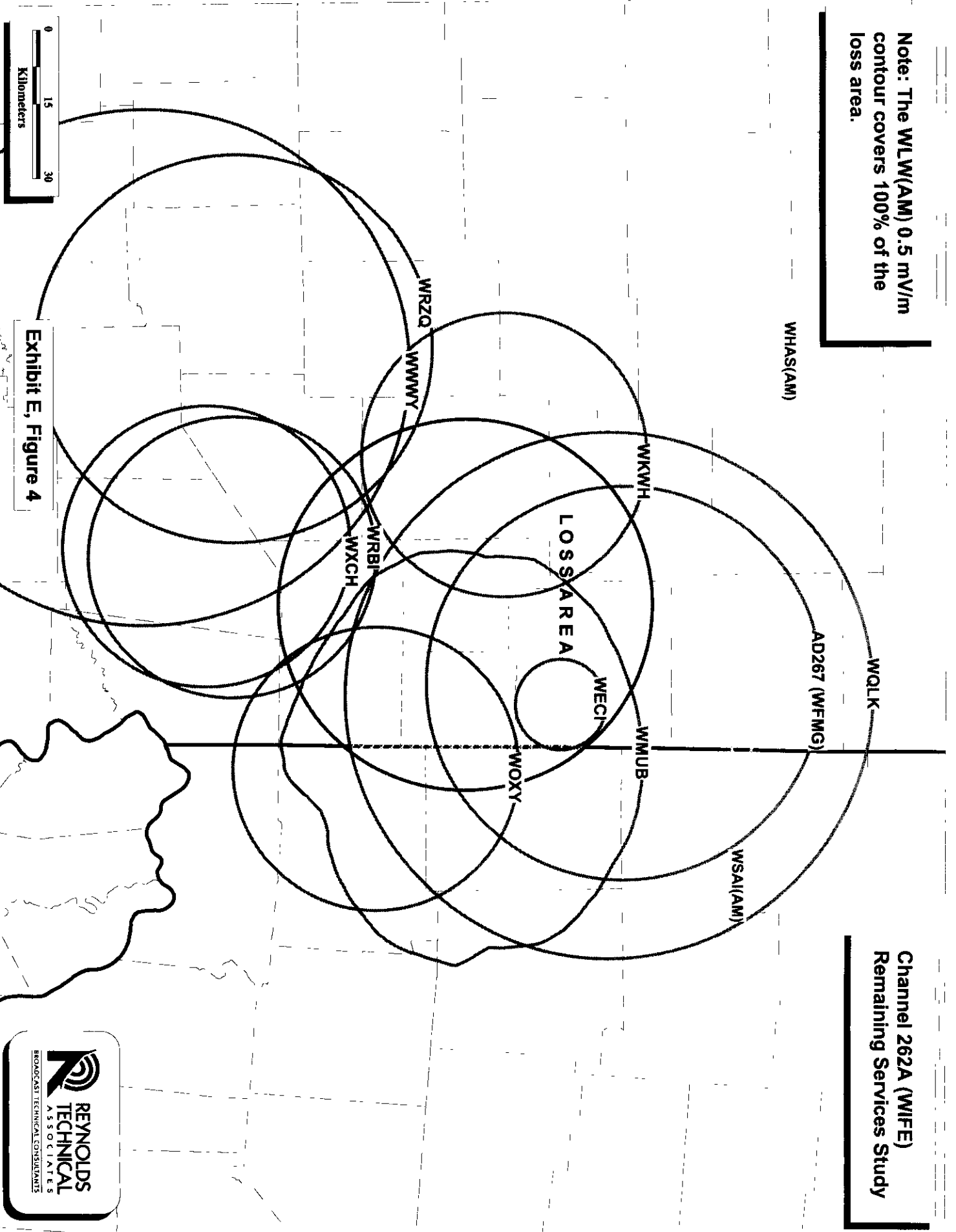


Exhibit E, Figure 4

# Engineering Statement

## In Support of a

## Petition for Rule Making

### Channel 266A, Erlanger, Kentucky (WIZF) Allocation Study (Using WIZF's Licensed Coordinates as Reference)

REFERENCE					DISPLAY DATES		
39 06 18 N	CLASS = A					DATA	11-13-03
84 33 24 W	Current Spacings					SEARCH	12-03-03
----- Channel 266 - 101.1 MHz -----							
Call	Channel		Location	Dist	Azi	FCC	Margin
-----							
WIZF	LIC	265A	Erlanger	KY	0.00	0.0	72.0 -72.00
Of no concern:							
Licensed coordinates of WIZF. Proposed change to channel 266A							
In instant petition.							
ALLO	VAC	266A	Madison	IN	72.73	244.4	115.0 -42.27
Of concern:							
Proposed change to channel 265A in instant petition							
At its current site.							
WFMG	LIC	267B	Richmond	IN	86.55	338.3	113.0 -26.45
Of concern:							
Channel 267B1 substituted for channel 267B at Richmond							
proposed.							
AD265	PRO	265A	Madison	IN	72.73	244.4	72.0 0.73
Of note:							
Proposed change of vacant allotment at Madison, Indiana from							
Channel 266A to channel 265A at its current site.							
AD267	PRO	267B1	Richmond	IN	96.91	339.1	96.0 0.91
Of note:							
Proposed allocation coordinates of WFMG at Richmond, Indiana							
on channel 267B1.							
WSGS	LIC	266C	Hazard	KY	244.00	150.1	226.0 18.00
WAGX	LIC	267A	Manchester	OH	94.97	125.9	72.0 22.97
WWCD	LIC-Z	266A	Grove City	OH	151.30	58.1	115.0 36.30
WEEC	LIC	264B	Springfield	OH	112.03	31.6	69.0 43.03

# Engineering Statement

## In Support of a

## Petition for Rule Making

### Channel 265A, Madison, Indiana (Vacant Allotment) Allocation Study (Using Channel 265A at Madison, Indiana Coordinates as Reference)

REFERENCE					DISPLAY DATES		
38 49 15 N				CLASS = A	DATA	11-13-03	
85 18 46 W				Current Spacings	SEARCH	12-03-03	
----- Channel 265 - 100.9 MHz -----							
Call	Channel	Location		Dist	Azi	FCC	Margin
<b>ALLO</b>	<b>VAC 266A</b>	<b>Madison</b>		<b>IN 0.00</b>	<b>0.0</b>	<b>72.0</b>	<b>-72.00</b>
Of no concern: Proposed change to channel 265A in instant petition.							
<b>WIZF</b>	<b>LIC 265A</b>	<b>Erlanger</b>		<b>KY 72.73</b>	<b>64.0</b>	<b>115.0</b>	<b>-42.27</b>
Of concern: Proposed change to channel 266A in instant petition (see below).							
<b>WLSK</b>	<b>LIC-Z 265C3</b>	<b>Lebanon</b>		<b>KY 124.94</b>	<b>180.2</b>	<b>142.0</b>	<b>-17.06</b>
Of concern: Proposed downgrade to channel 265A at its current site.							
WKKG	LIC 268B	Columbus		IN 68.53	306.7	69.0	-0.47
<b>AD266</b>	<b>PRO 266A</b>	<b>Erlanger</b>		<b>KY 72.73</b>	<b>64.0</b>	<b>72.0</b>	<b>0.73</b>
Of note: Proposed allocation coordinates of WIZF on channel 266A.							
<b>AD265</b>	<b>PRO 265A</b>	<b>Lebanon</b>		<b>KY 128.89</b>	<b>179.6</b>	<b>115.0</b>	<b>11.22</b>
Of note: Proposed allocation coordinates of WLSK on channel 265A.							
WBDC	LIC 265B1	Huntingburg		IN 154.22	244.3	143.0	11.22
WYJZ.C	CP 265A	Speedway		IN 127.18	329.1	115.0	12.18
ALLO	RSV 265A	Speedway		IN 131.68	323.5	115.0	16.68
WTFXFM	LIC-N 263C2	Louisville		KY 72.11	194.6	55.0	17.11
WIFE	LIC 262B	Connersville		IN 91.80	8.9	69.0	22.80
WYJZ	LIC-Z 265A	Lebanon		IN 153.11	323.0	115.0	38.11
WMJM	LIC-N 267A	Jeffersontown		KY 71.67	203.4	31.0	40.67
<b>AD262</b>	<b>PRO 262A</b>	<b>Norwood</b>		<b>OH 74.25</b>	<b>62.9</b>	<b>31.0</b>	<b>43.25</b>
Of note: Proposed allocation coordinates of WIFE on channel 262A Licensed to Norwood, Ohio.							
WFMG	LIC 267B	Richmond		IN 116.53	16.2	69.0	47.53
WJYC	LIC-D 211B1	Delhi Hills		OH 60.47	44.5	12.0	48.47



# Engineering Statement

## In Support of a

## Petition for Rule Making

### Channel 267B1, Richmond, Indiana (WFMG) Allocation Study

REFERENCE		DISPLAY DATES
39 55 09 N	CLASS = B1	DATA 11-13-03
84 57 47 W	Current Spacings	SEARCH 12-03-03
----- Channel 267 - 101.3 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
-----						
	<b>Community of Richmond</b>	<b>IN</b>	<b>11.84</b>	<b>148.2</b>		
	Reference Coordinates:					
	North Latitude: 39-48-47					
	West Longitude: 85-10-15					
<b>WFMG</b>	<b>LIC 267B</b>	<b>Richmond</b>	<b>IN</b>	<b>10.45</b>	<b>165.6</b>	<b>211.0 -200.55</b>
	Of no concern:					
	Licensed coordinates for WFMG.					
<b>WKKG</b>	<b>LIC 268B</b>	<b>Columbus</b>	<b>IN</b>	<b>117.51</b>	<b>226.4</b>	<b>145.0 -27.49</b>
	Of no concern:					
	Protection afforded WKKG under §73.213(a)(1). Proposed short spacing to WKKG is reduced from 56.18 kilometers to 27.49 kilometers as a result of the instant petition. The existing overlap is reduced as well.					
<b>AD266</b>	<b>PRO 266A</b>	<b>Erlanger</b>	<b>KY</b>	<b>96.91</b>	<b>158.8</b>	<b>96.0 0.91</b>
	Of note:					
	Proposed allocation coordinates for WIZF on channel 266A.					
WPGWFM	LIC 265A	Portland	IN	57.57	355.6	48.0 9.57
WEEC	LIC 264B	Springfield	OH	93.71	86.8	71.0 22.71
WKRQ	LIC 270B	Cincinnati	OH	97.55	156.0	71.0 26.55
WBAAF	LIC-N 267A	West Lafayette	IN	170.51	284.9	143.0 27.51
ALLO	VAC 266A	Madison	IN	125.61	193.9	96.0 29.61
WNCOFM	LIC 267B	Ashland	OH	243.78	64.3	211.0 32.78
WURK	LIC 269A	Elwood	IN	86.30	297.7	48.0 38.30
WKPW	LIC 214A	Knightstown	IN	50.35	250.8	12.0 38.35
WWDS	LIC 213A	Muncie	IN	51.64	320.8	12.0 39.64
WAGX	LIC 267A	Manchester	OH	183.91	142.4	143.0 40.91
WYJZ.C	CP 265A	Speedway	IN	96.27	262.4	48.0 48.27
WIZF	LIC 265A	Erlanger	KY	96.91	158.8	48.0 48.91
-----						

# Engineering Statement

## In Support of a

## Petition for Rule Making

### WFMG, Channel 267B, Channel Spacing Study (Showing WFMG's Current Short Spacings to Other Stations)

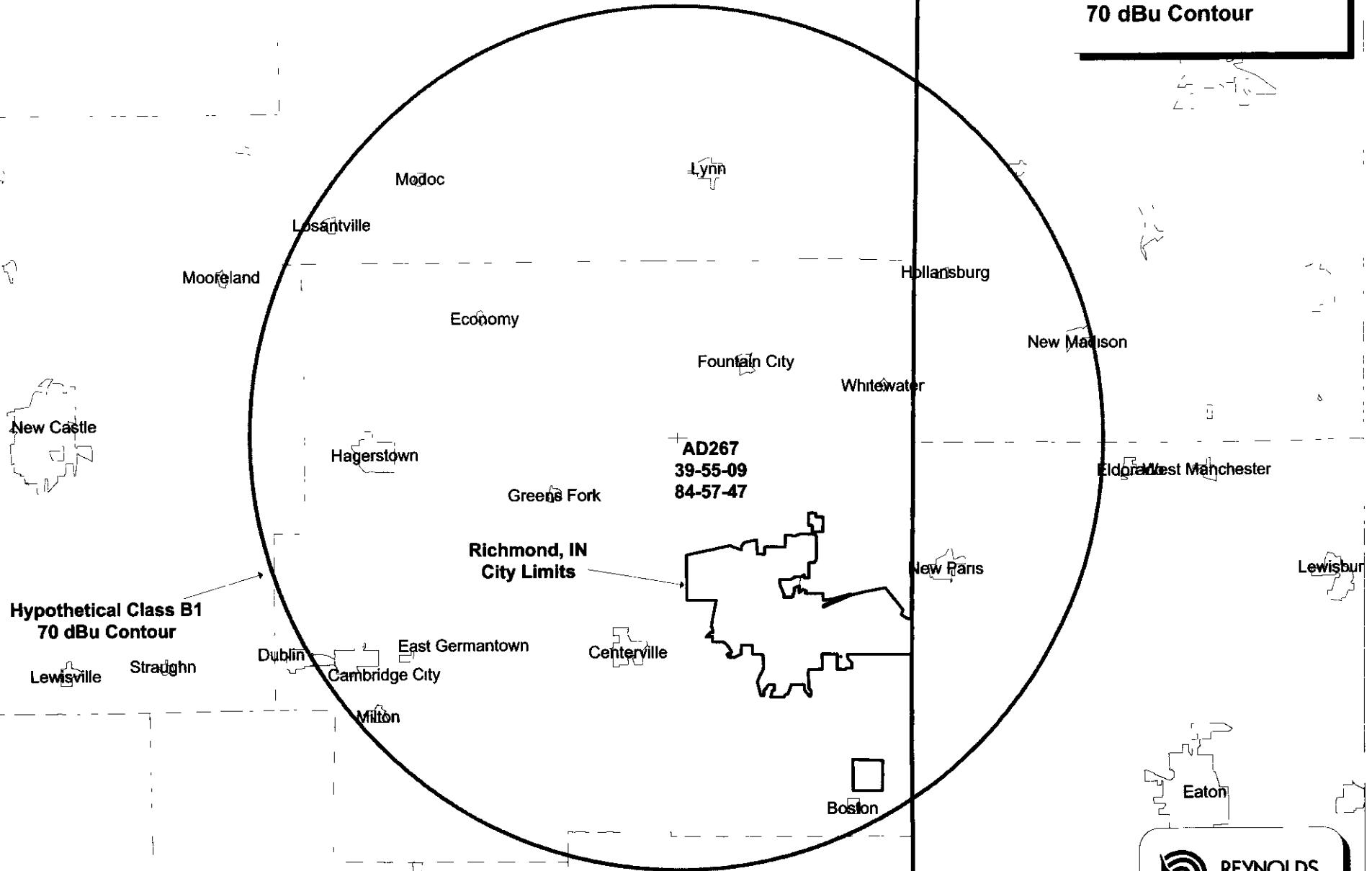
REFERENCE	CLASS = B	DISPLAY DATES
39 49 41 N	Current	DATA 11-13-03
84 55 57 W	Spacings	SEARCH 12-03-03

----- Channel 267 - 101.3 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
WFMG	LIC 267B	Richmond	IN 0.00	0.0	241.0	-241.00
Of no concern: Licensed coordinates of WFMG.						
AD267	PRO 267B1	Richmond	IN 10.45	345.6	211.0	-200.55
Of no concern: Proposed allocation coordinates of channel 267B1 at Richmond, Indiana for WFMG.						
WKKG	LIC 268B	Columbus	IN 112.82	231.1	169.0	-56.18
Of note: This shows WFMG's current short spacing to WKKG. This short spacing is reduced to 27.49 kilometers as a result of the instant petition.						
AD266	PRO 266A	Erlanger	KY 86.55	158.0	113.0	-26.45
Of no concern: Proposed allocation coordinates of WIZF on channel 266A in Erlanger, Kentucky. Channel 267B at Richmond is deleted in the instant petition. Hence, this short space will not exist.						
WAGX	LIC 267A	Manchester	OH 174.35	141.1	178.0	-3.65
WBAAFM	LIC-N 267A	West Lafayette	IN 175.87	287.9	178.0	-2.13
WPGWFM	LIC 265A	Portland	IN 67.88	354.1	69.0	-1.12
Of note: These short spacings are eliminated as a result of the substitution of channel 267B1 at Richmond for channel 267B.						
ALLO	VAC 266A	Madison	IN 116.53	196.4	113.0	3.53
Of note: Channel 265A is substituted for channel 266A at Madison, Indiana in the instant petition.						
WNCOFM	LIC 267B	Ashland	OH 246.02	61.9	241.0	5.02
WMJM	LIC-N 267A	Jeffersontown	KY 187.85	199.2	178.0	9.85
WKRQ	LIC 270B	Cincinnati	OH 87.27	154.8	74.0	13.27

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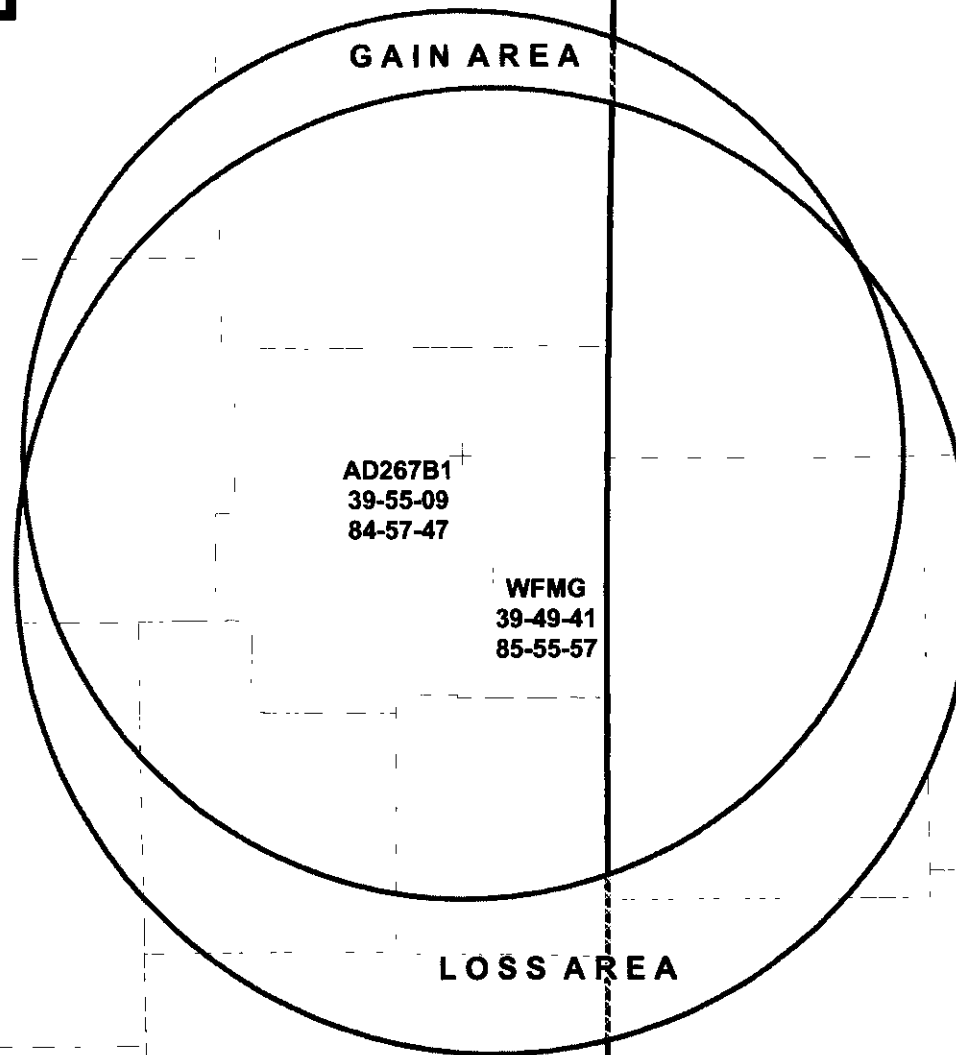
**Channel 267B1 (WFMG)**  
**Richmond, IN**  
**70 dBu Contour**



**Exhibit E, Figure 8**

Gain Area = 461 sq km  
Loss Area = 1,332 sq km  
Pop. Gain = 15,616  
Pop. Loss = 54,002

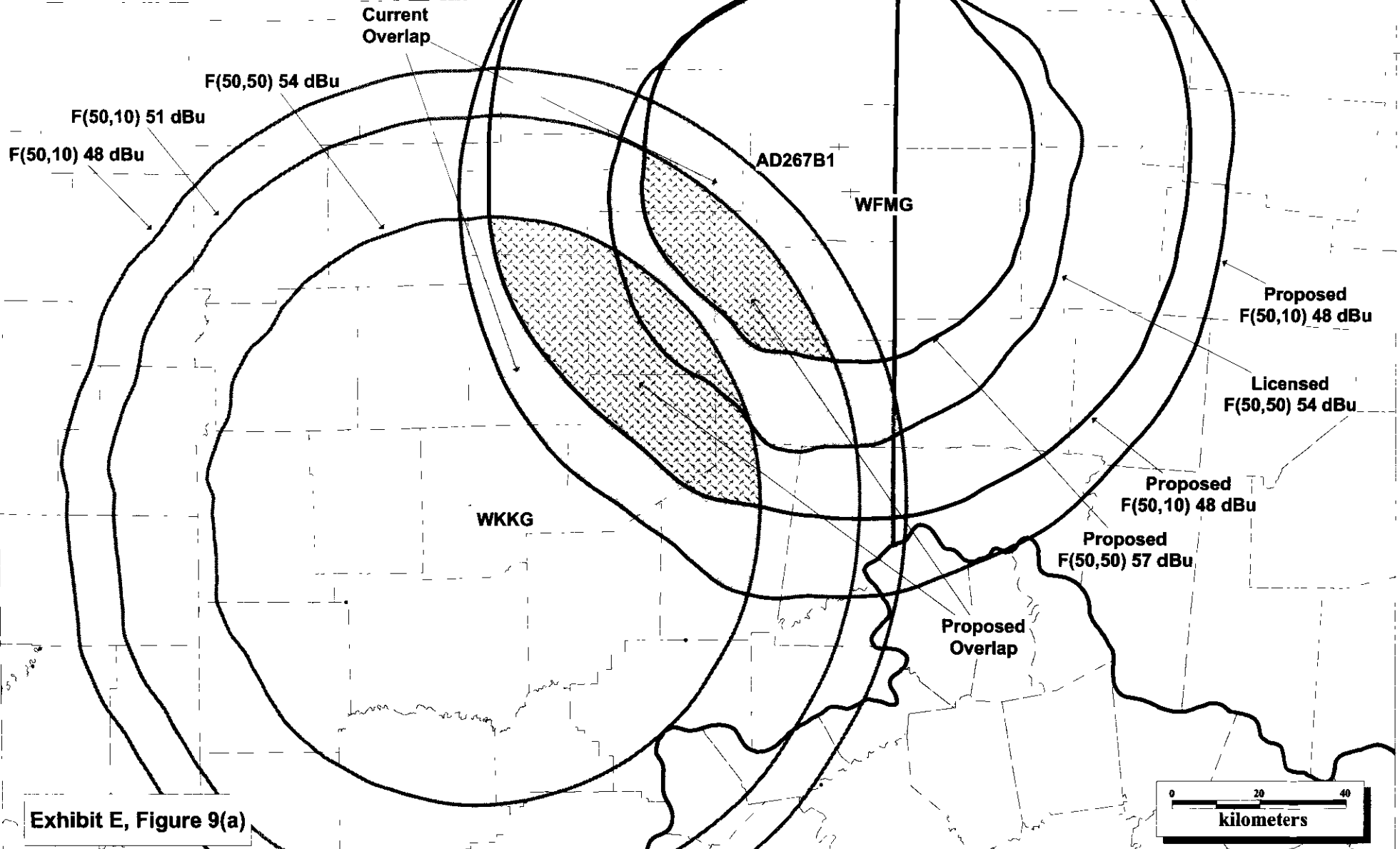
Channel 267B1 (WFMG)  
Proposed Gain/Loss Study



0 15 30  
Kilometers

Exhibit E, Figure 9

**WKKG, Columbus, IN  
WFMG, Richmond, IN  
Licensed and Proposed  
Interference Under §73.213(a)(1)**



**Exhibit E, Figure 9(a)**

# Engineering Statement

## In Support of a

## Petition for Rule Making

### Channel 265A, Lebanon, Kentucky (WLSK) Allocation Study

REFERENCE				DISPLAY DATES		
37 38 50 N			CLASS = A	DATA	11-13-03	
85 11 50 W			Current Spacings	SEARCH	12-03-03	
----- Channel 265 - 100.9 MHz -----						
Call	Channel	Location	Dist	Azi	FCC	Margin
<b>Community of Lebanon</b>			<b>KY</b>	<b>9.98</b>	<b>211.5</b>	
Reference Coordinates:						
North Latitude: 37-34-14						
West Longitude: 85-15-23						
<b>WLSK</b>	<b>LIC-Z 265C3</b>	<b>Lebanon</b>	<b>KY</b>	<b>11.94</b>	<b>296.7</b>	<b>142.0 -130.06</b>
Of no concern:						
Licensed coordinates of WLSK						
WCYO	LIC-N 264C3	Irvine	KY	92.55	88.7	89.0 3.55
WTFXFM	LIC-N 263C2	Louisville	KY	66.87	335.0	55.0 11.87
<b>AD265</b>	<b>PRO 265A</b>	<b>Madison</b>	<b>IN</b>	<b>130.66</b>	<b>355.6</b>	<b>115.0 15.66</b>
Of note:						
Proposed allocation coordinates for the substitute channel						
at Madison, Indiana.						
WBDC	LIC 265B1	Huntingburg	IN	162.16	293.2	143.0 19.16
WSGS	LIC 266C	Hazard	KY	185.42	105.2	165.0 20.42
WKLX	LIC-N 264C3	Brownsville	KY	113.90	241.6	89.0 24.90
WLRO	LIC-N 268C3	Richmond	KY	80.98	71.1	42.0 38.98
WRZI.C	CP -D 268A	Vine Grove	KY	72.71	276.5	31.0 41.71
WRZI	LIC 268A	Vine Grove	KY	72.71	276.5	31.0 41.71
WMJM	LIC-N 267A	Jeffersontown	KY	75.31	329.2	31.0 44.31
WUBT	LIC 266C1	Russellville	KY	181.70	227.1	133.0 48.70

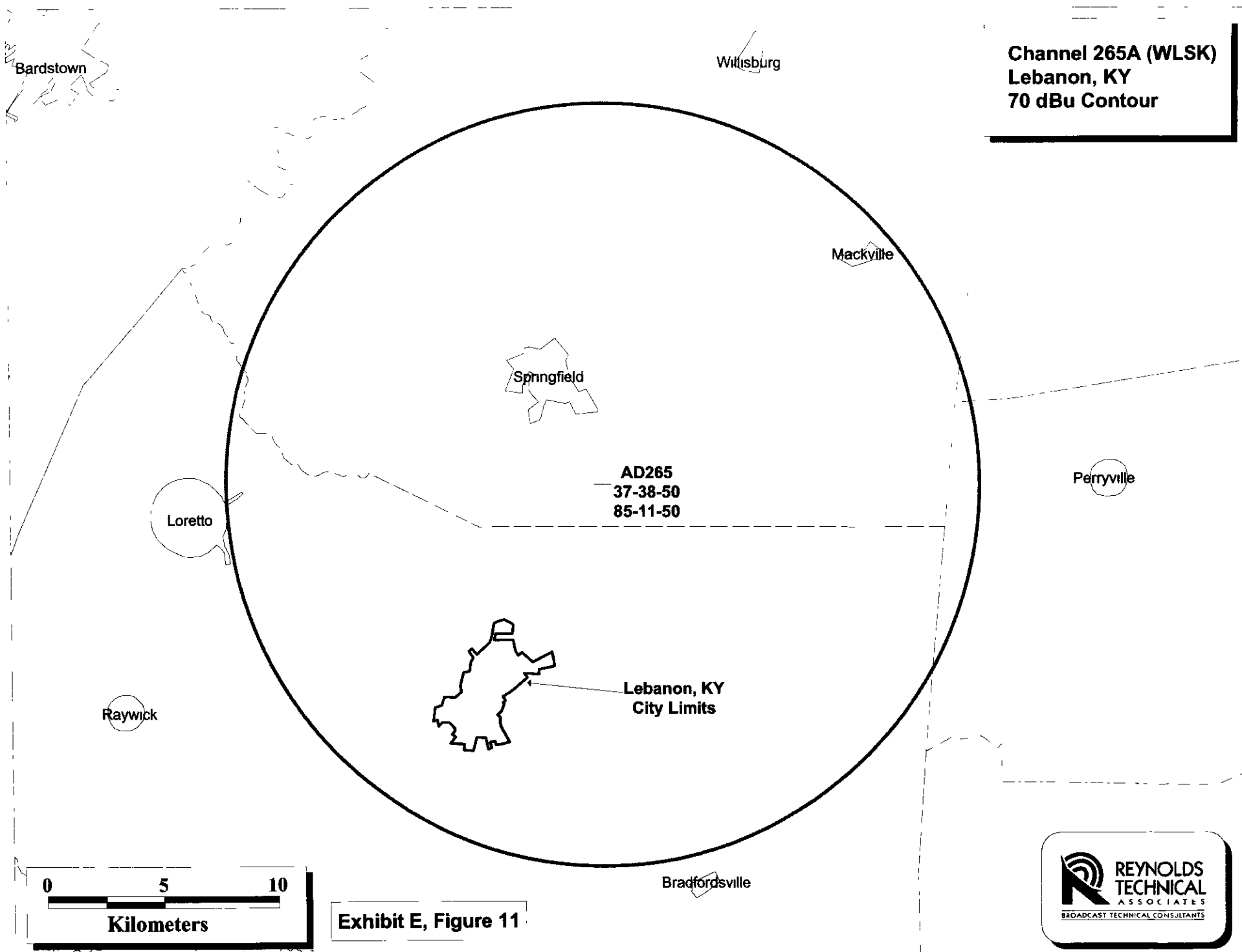
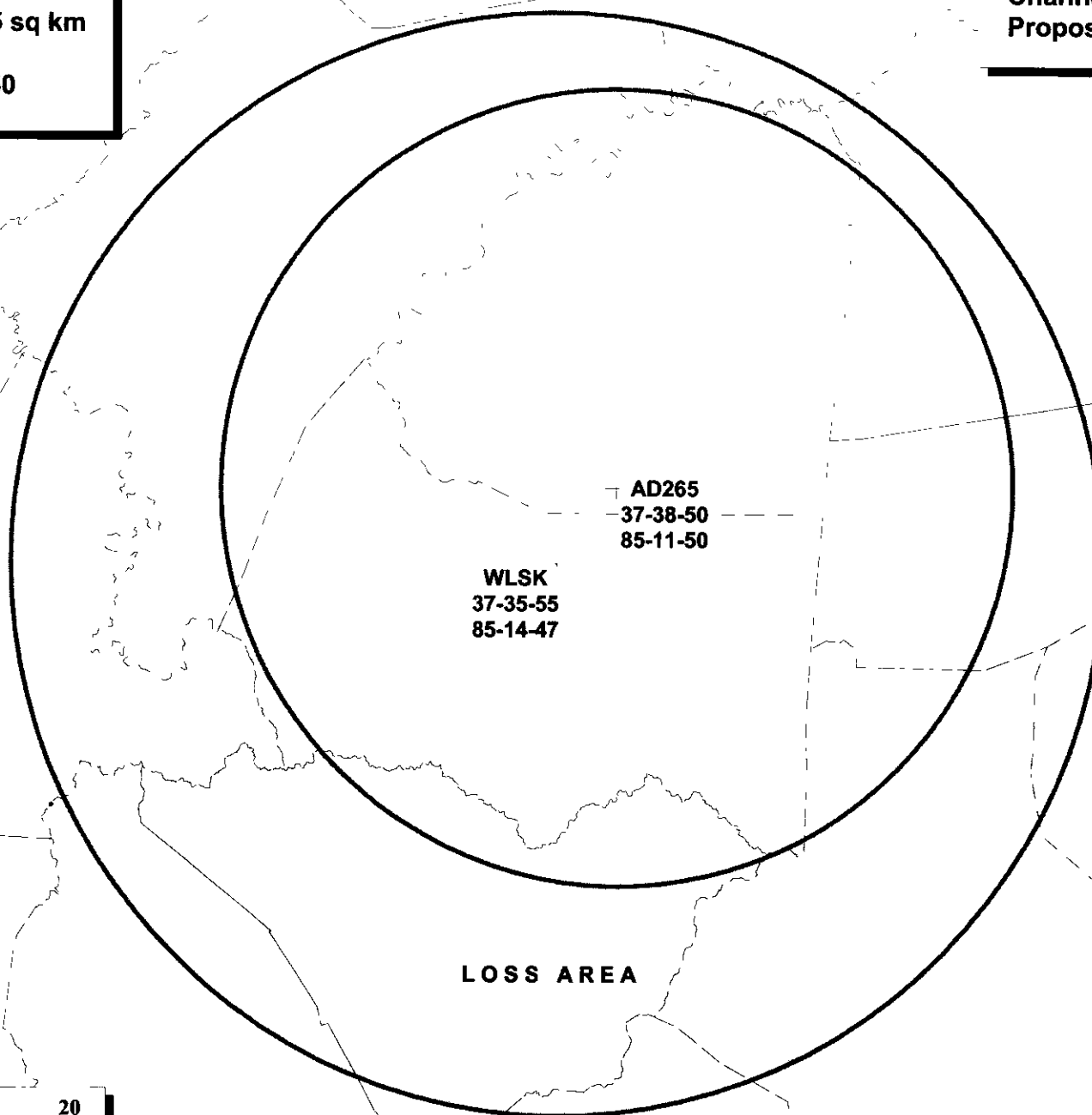


Exhibit E, Figure 11

Gain Area = 0 sq km  
Loss Area = 2,285 sq km  
Pop. Gain = 0  
Pop. Loss = 61,550

Channel 265A (WLSK)  
Proposed Gain/Loss Study



0 10 20  
Kilometers

Exhibit E, Figure 12